

EXHIBIT L

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Sacramento, CA

October 22, 2008

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

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THIS DOCUMENT RELATES TO	MDL No. 1456
State of California, ex rel.	Civil Action:
Ven-A-Care v. Abbott	01-12257-PBS
Laboratories, Inc., et al.	

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WEDNESDAY, OCTOBER 22, 2008

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VIDEOTAPED DEPOSITION OF
CRAIG MILLER - VOLUME II

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Reported By: INA C. LeBLANC, CSR No. 6713

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<p>1 reimbursed for?</p> <p>2 A. That's correct.</p> <p>3 Q. And that URA would -- should in each</p> <p>4 instance reflect one-tenth of AMP?</p> <p>5 A. Yes.</p> <p>6 MR. BENNETT: No more questions.</p> <p>7</p> <p>8 EXAMINATION</p> <p>9 BY MS. BERWANGER:</p> <p>10 Q. Again, for the record, my name is Lara</p> <p>11 Berwanger. I represent Sandoz Inc.</p> <p>12 Mr. Miller, I believe that you</p> <p>13 testified earlier today that you had some</p> <p>14 conversations with Kevin Gorospe about whether</p> <p>15 California compared AMP or URA as to any other</p> <p>16 pricing information.</p> <p>17 A. Yes.</p> <p>18 Q. And from your conversations with him,</p> <p>19 you determined that California did not compare</p> <p>20 AMPs or URAs to any other pricing information,</p> <p>21 correct?</p> <p>22 A. Correct.</p>	<p>1 documents that we went over at your last</p> <p>2 deposition. These are documents marked Miller</p> <p>3 Exhibit 7 through Miller Exhibit 10.</p> <p>4 Sorry. I only have one copy of these.</p> <p>5 Do you recall seeing these at your last</p> <p>6 deposition?</p> <p>7 A. Yes.</p> <p>8 Q. For the record, these are</p> <p>9 communications from Geneva Pharmaceuticals, which</p> <p>10 is the former name of my client, Sandoz Inc., to</p> <p>11 the State of California, correct?</p> <p>12 A. Yes.</p> <p>13 Q. And I believe you agreed with me at</p> <p>14 your last deposition that based on these letters,</p> <p>15 California received AMPs directly from Geneva</p> <p>16 Pharmaceuticals from 1992 through 1996; is that</p> <p>17 correct?</p> <p>18 A. I need to review this to see the dates</p> <p>19 here.</p> <p>20 Q. Sure. Take your time.</p> <p>21 A. 1992, '94, and 1995, 1996 -- yes.</p> <p>22 Q. And I believe that at your last</p>
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<p>1 Q. Are you familiar with the term AWP?</p> <p>2 A. Yes.</p> <p>3 Q. Based on your conversation with Mr.</p> <p>4 Gorospe, is it fair to say that California did</p> <p>5 not compare AMP or URA information to AWP?</p> <p>6 A. In everything but a training that Kevin</p> <p>7 had done for us where AWP was listed as 100 and</p> <p>8 AMP, in this example, was listed as 80, and I</p> <p>9 just assume that's a generally known percentage</p> <p>10 difference between the two figures.</p> <p>11 Q. So you assume it's generally known that</p> <p>12 AWP is higher than AMP?</p> <p>13 A. Yes.</p> <p>14 Q. And aside from that training material</p> <p>15 that I believe was an exhibit to your last</p> <p>16 deposition --</p> <p>17 A. Yes.</p> <p>18 Q. -- to your knowledge, there have been</p> <p>19 no other calculations or comparisons done between</p> <p>20 AMPs or URAs and AWP?</p> <p>21 A. Correct.</p> <p>22 Q. I'm going to put in front of you some</p>	<p>1 deposition you agreed with Mr. Robben that AMPs</p> <p>2 were to represent a price generally paid by</p> <p>3 manufacturers to -- I'm sorry. Scratch that.</p> <p>4 I believe at your last deposition you</p> <p>5 agreed with Mr. Robben that AMPs represented a</p> <p>6 price paid by wholesalers to manufacturers for</p> <p>7 their drugs; is that correct?</p> <p>8 A. Correct.</p> <p>9 Q. So if California had compared --</p> <p>10 scratch that.</p> <p>11 Is it fair to say, based on your</p> <p>12 conversation with Kevin Gorospe, that California</p> <p>13 never compared Sandoz AMPs that FDB published --</p> <p>14 that First Data Bank published for Sandoz during</p> <p>15 the period 1992 to 1996?</p> <p>16 A. Yeah. I so stated.</p> <p>17 Q. And is it fair to say that if</p> <p>18 California had compared the AMPs for Sandoz</p> <p>19 products from 1992 to 1996 to the AWP's reported</p> <p>20 in First Data Bank for Sandoz, that it would have</p> <p>21 found that the AWP's were higher than the AMPs?</p> <p>22 A. I've been told that the AWP's should be</p>

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